

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (F) NO. 2615 OF 2022
IN FIRST APPEAL NO. 869 OF 2019 (D)

(The New India Insurance Co. Ltd. Vs. Smt. Swati @ Archana wd/o Dilip Katkar & Ors.)

(Applicant – Vrushabh s/o Dilip Katkar (respondent No.3))

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri M.B. Joshi, Advocate for the appellant.
Shri Madhur Deo, Advocate for the applicant/ respondent
No.3.

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CORAM : URMILA JOSHI - PHALKE, J.
FEBRUARY 23, 2023.

As per the contention of respondent No.3 that as he was minor when the Court decided the First Appeal, his compensation amount was deposited in a Fixed Deposit. Now he has attained the age of majority and therefore he is seeking permission for withdrawal of the amount.

2] Perused the application. The application is supported by the birth certificate issued by the Municipal Council, Chandrapur which shows that respondent No.3 has attained the age of majority. The appeal is already disposed of.

3] Accordingly, for the reasons mentioned in the application, the amount which was kept in a Nationalized Bank in terms of the order dated 5/7/2019 passed by this Court in Civil Application No. 2496/2019

be disbursed to respondent No.3 on due identification and verification along with accrued interest.

4] The Civil Application is allowed and disposed of.

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5] The office note shows that the appellant has not deposited the amount of future prospects in this Court as directed vide order dated 16/9/2021. The learned Advocate for the appellant as well as the learned Advocate for respondent No.3 jointly submitted that the original claimants have also preferred an appeal bearing No. 862/2018. The Insurance Company has deposited the amount in the said appeal.

6] Office to take note of the aforesaid and take necessary steps to remove the aforesaid objection noted in the office note.

(JUDGE)

Sumit